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REMARKS

Applicants have carefully reviewed the Office Action dated June 3, 2005. Claims 1-5 are pending in the application. Applicants have amended Claim 1 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Claims 1-5 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-14 of U. S. Patent No. 6,594,705 and Claims 1-27 of U. S. Patent No. 6,636,896. Applicants have prepared and herewith submit terminal disclaimers for the above-referenced U. S. Patents.

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over *Wolzien*, U. S. Patent No. 5,761,606 in view of *Hudetz et al.*, U. S. Patent No. 5,978,773; and further in view of *Reese*, U. S. Patent No. 6,374,237. This rejection is respectfully traversed with respect to Claim 1.

Claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over a combination of *Wolzien*, *Hudetz* and *Reese*, this being the rejection addressed in the prior response. As set forth in the prior response:

Wolzien allows an individual to extract information from a broadcast and utilize that information for the purpose of connecting to some location. This information contains routing information;

Hudetz utilizes information that has no routing information associated therewith and utilizes this information to "pull" information from a data base. Although the Examiner has previously indicated that there is some automatic information in *Hudetz*, the disclosure of *Hudetz* clearly sets forth that the only way to obtain information from the remote data base is to request the information and have that information returned as an HTML page. There is nothing in an HTML page that will allow an automatic operation. Rather, there is some action at the user computer to facilitate such a connection.

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Since this is a "pull" operation, there is no need nor desire to send any user profile information to the remote site, since the remote site is just a data base or a lookup table that returns information. Thus, *Hudetz* has no motivation or teaching that would even suggest that one would want to send profile information to any location; and

Reese sends profile information to a server for content customization based upon a user requesting such, in one embodiment.

The question is whether one of ordinary skill in the art would be motivated to combine *Reese* with the combination of either *Wolzien* or *Hudetz* or with a combination of both to show that the unique coded information is what causes the profile information to be sent. Certainly, *Hudetz* has no suggestion that there is any more than a mere lookup being performed. This is just a data base access. This is also the case with respect to *Wolzien*. *Wolzien* is a system wherein a user, once obtaining URL information followed by a web access, then makes a decision as to whether they want to access a particular site. There is no connection between the transmission of the broadcast and the actual connetion to the site. In Applicants' present inventive concept, as defined by the ameneded Claims, it is required that the broadcast and the connection to the advertiser be "linked." This link requires that profile information be sent to the advertiser. Therefore, the person generating the broadcast, assuming that the user's PC is connected, will then know that one action will occur and that will be connection to an advertiser's location based upon the unique code, and also that connection to the advertiser's location will include profile information based solely on the act of broadcasting the code. In *Wolzien*, there is no way to know what will be sent to the remote location when the user connects utilizing the information embedded in the broadcast, since there is no "control" over the user's computer. That is the same situation with respect to *Hudetz* in that the person generating the code, the manufacturer that prints the barcode on the label, has no control over what happens to that barcode or what use is made of it. As such, Applicants believe that the *Wolzien* and *Hudetz* references do not provide the necessary motivation to utilize the teachings of *Reese* to not only connect to a remote location in conjunction with a received code from a broadcast, but also send to the remote location profile information for the purpose of returning customized content. As such, Applicants believe that the *Wolzien* reference and the *Hudetz* reference and the *Reese* reference, taken singularly or in combination, do not anticipate or obviate Applicants' present inventive concept as defined by the amended Claims. Therefore, Applciant respectfully requests withdrawal of the 35 U.S.C.

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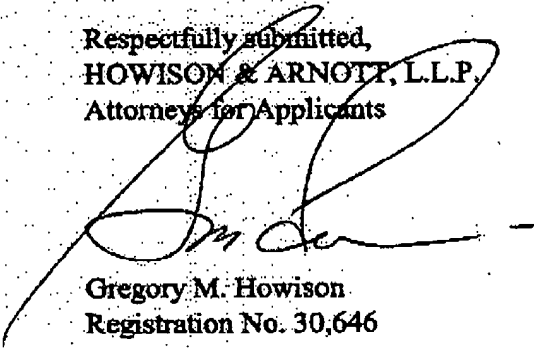S/N 09/382,372
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§103(a) rejection with respect to Claim 1.

As to the remaining claims, they depend upon Claim 1 and, therefore, Applicant respectfully respects withdrawal of the 35 U.S.C. §103(a) rejection with respect thereto.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,738 of HOWISON & ARNOTT, L.L.P.

Respectfully submitted,
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